

Remarks/Arguments:

The applicants and their representative have reviewed the Office Action of May 5, 2005 and provide the above amendment in conjunction with these remarks. Preliminarily, it is noted that claims 21-23 and 25-27 are pending. Claim 21 has been amended herein and new claim 41 has been added. For at least the reasons set forth below in conjunction with the amendments made above, withdrawal of all rejections under 35 U.S.C. § 102 is respectfully requested in light thereof. A Notice of Allowance of claims 21-23, 25-27, and 41 is respectfully requested.

As to the rejection of claims 21-23 and 25-27, under 35 U.S.C. § 102(e) in light of U.S. Patent No. 6,120,522 to Vrba et al., the applicants note that claims 21 and 41 both now recite that the protrusion extending from the ring have "an outside diameter at least as great as the mounted stent" Support for this amendment is found in the current specification and drawings, including for example page 29, lines 5-27, and Figs. 17A-C and 18. Vrba, on the other hand, specifically teaches away from the claimed configuration, noting that although its holder may extend "into one or more of the retention openings of the stent in the unexpanded state, . . . [i]t is more desirable that the stent holder not extend beyond the outer surface of the stent in the unexpanded state" Vrba, Column 5, lines 6-12. Note especially Fig. 1a of Vrba and the stent holder 186 shown therein. Moreover, the outside diameter of the stent holder of Vrba is by definition *less than* the outside diameter of the compressed stent, a teaching which is in complete contradistinction to that which is now claimed in claims 21 and 41.

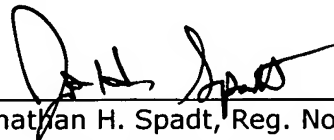
Claim 41 is the same as claim 21 but adds further the limitation that the protrusions extend "through a portion of the proximal end of the stent" Support for this language is found in the specification and figures, including page 29, lines 25-27 and Figs. 17A and 17C. For at least the reasons that claim 21 is allowable, so too is claim 41 allowable.

As an aside, the applicants also note that U.S. Patent No. 6,120,522 to Vrba et al. is owned by the same person (i.e., SciMed Life Systems, Incorporated) as the presently claimed invention. Both inventions were owned by the same person or subject to an obligation of assignment to the same person at the time each was made.

For at least the reasons presented above, the applicants respectfully submit that claim 21 is neither anticipated nor obvious in view of the cited art. Because claims 22, 23, and 25-27 all depend, either directly or indirectly, from claim 21, they too are in condition for allowance. Claim 41, as discussed, is essentially claim 21 with the additional limitation that the protrusions

extend through a portion of the proximal end of the stent. The applicants submit, therefore, that claims 21-23, 25-27, and 41 are in condition for allowance. Early and favorable notification to this effect is respectfully requested.

Respectfully submitted,



Jonathan H. Spadt, Reg. No. 45,122
Attorney for Applicants

JHS/ljr

Dated: Sept. 6, 2005

| | |
|--|--|
| <input checked="" type="checkbox"/> P.O. Box 980 Valley Forge, PA 19482 (610) 407-0700 | <input type="checkbox"/> P.O. Box 1596 Wilmington, DE 19899 (302) 778-2500 |
|--|--|

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

September 6, 2005

